



210151US00

10/717,297

Art Unit: Unknown

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Richard P. Schmidt, et al.**
Serial Number **10/717,297**
Filed **November 19, 2003**
Examiner **Unknown**
Group Art Unit **Unknown**
For: **TRANSITION METAL CARBOXYLATES AS CATALYSTS FOR OXYGEN SCAVENGING**

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT, Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450:

April 20, 2005 Kim Gregg
Kim Gregg

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), Applicants respectfully request that this Information Disclosure Statement and the references listed on the completed Form PTO-1449 be considered by the Examiner and made of record. A copy of each non-patent publication, foreign patent, and foreign patent application listed on Form PTO-1449 is enclosed herewith.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed to be a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists. On the contrary, the Examiner is specifically requested not to rely solely on the information submitted herein and requested to conduct an independent and thorough review of the information, and to form independent opinions as to their significance.

The submission of this information Disclosure Statement and Form PTO-1449 is not an admission that the art cited is "prior" with respect to the present invention, nor is it a representation

than no better art exists. Applicants hereby reserve the right to swear behind or otherwise disprove any alleged "prior" nature of any art cited should the facts support and the situation warrant such an action. It is submitted that the art cited does not constitute a bar to the patentability of the Applicants' invention under 35 U.S.C. § 102 or § 103.

The International Search Report and Written Opinion for PCT/US2004/032910 reports pertinent matter for the foreign counterpart application of the present patent application.

The International Search Report, Written Opinion, and International Preliminary Examination Report for PCT/US 01/02034 reports pertinent matter for the foreign counterpart application of the related US patent 6,664,320.

The International Search Report, Written Opinion, Response to Written Opinion, and International Preliminary Examination Report for PCT/US01/28412 reports pertinent matter for the foreign counterpart application of the related US patent 6,437,086.

The International Search Report, First Written Opinion, Second Written Opinion, Response to Written Opinions, Third Written Opinion, and International Preliminary Examination Report for PCT/US 01/31968 reports pertinent matter for the foreign counterpart application of the related US patent application serial number 09/704,970, now abandoned.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 50-1629.

Respectfully submitted,

Date: April 10th, 2005
CHEVRON PHILLIPS CHEMICAL CO. LP
10001 Six Pines Drive
The Woodlands, Texas 77380
Phone: (832) 813-4339
Fax: (832) 813-6060


K. KaRan Reed
Registration No. 45,036
ATTORNEY FOR APPLICANTS



Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08A (08-03)

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	10/717,297
Filing Date	November 19, 2003
First Named Inventor	Richard P. Schmidt
Art Unit	
Examiner Name	

Attorney Docket Number 210151US00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA	US- 3,454,510 A	07/08/1969	Newland		
AB	US- 3,497,571 A	02/24/1970	Tellier et al.		
AC	US- 3,536,687 A	10/27/1970	Nordstrom		
AD	US- 4,134,927 A	01/16/1979	Tomoshige		
AE	US- 4,396,730 A	08/02/1983	Imahashi		
AF	US- 4,415,710 A	11/15/1983	Barnabeo et al.		
AG	US- 4,524,201 A	06/18/1985	Barnabeo et. al.		
AH	US- 4,775,593 A	10/04/1988	Heberger		
AI	US- 5,116,916 A	05/26/1992	Young		
AJ	US- 5,211,875 A	05/18/1993	Speer et al.		
AK	US- 5,306,760 A	04/26/1994	Sullivan		
AL	US- 5,346,644 A	09/13/1994	Speer et al.		
AM	US- 5,425,896 A	06/20/1995	Speer et al.		
AN	US- 5,466,756 A	11/14/1995	Roach et al.		
AO	US- 5,498,364 A	03/12/1996	Speer et al.		
AP	US- 5,627,239 A	05/06/1997	Ching et al.		
AQ	US- 5,641,825 A	06/24/1997	Bacska et al.		
AR	US- 5,656,692 A	08/12/1997	Hayes		
AS	US- 5,660,761 A	08/26/1997	Katsumoto et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	JP 56136347		10/24/1981	Mitsui		
BB	JP 62177067		08/03/1987	Shigeo		
BC	EP 0 059 883		09/15/1982	Kang et al.		
BD	EP 0 507 207		10/07/1992	Roberts et al.		
BE	EP 0 520 257		12/30/1992	Speer et al.		
BF	GB 1 232 194		05/19/1971	Kansai Paint Company		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/717,297
				Filing Date	November 19, 2003
				First Named Inventor	Richard P. Schmidt
				Art Unit	
				Examiner Name	
Sheet	2	of	5	Attorney Docket Number	210151US00

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	CA	CHING et al., "Tasteless Oxygen Scavenging Polymer: A New Platform Technology for Food Packaging Based On Controlled Oxidation," Oxygen Absorber . . . 2001 and Beyond, OSP Conference, pages 1-8 (Chicago, June 19-20, 2000)			
	CB	CHING et al., "Tasteless Oxygen Scavenging Polymer: A New Platform Technology for Food Packaging Based On Controlled Oxidation," Oxygen Absorber . . . 2001 and Beyond, OSP Conference, Slides (Chicago, June 19-20, 2000)			
	CC	International Search Report, PCT/US01/02034, 06/05/2001, 4 pages			
	CD	Written Opinion, PCT/US01/02034, 12/10/2001, 5 pages			
	CE	International Preliminary Examination Report, PCT/US01/02034, 04/22/2002, 5 pages			
	CF	International Search Report, PCT/US01/28412, 03/18/2002, 5 pages			
	CG	Written Opinion, PCT/US01/28412, 05/27/2002, 2 pages			
	CH	Response to Written Opinion, PCT/US01/28412, 07/18/2002, 12 pages			
	CI	International Preliminary Examination Report, PCT/US01/28412, 11/27/2002, 15 Pages			
	CJ	International Search Report, PCT/US 01/31968, 01/31/2002, 6 pages			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

3

of 5

Complete if Known

Application Number	10/717,297
Filing Date	November 19, 2003
First Named Inventor	Richard P. Schmidt
Art Unit	
Examiner Name	

Attorney Docket Number 210151US00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AT	US- 5,700,554 A		12/23/1997	Speer et al.	
AU	US- 5,736,616 A		04/07/1998	Ching et al.	
AV	US- 5,776,361 A		07/07/1998	Katsumoto et al.	
AW	US- 5,811,027 A		09/22/1998	Speer et al.	
AX	US- 5,837,158 A		11/17/1998	Shepodd et al.	
AY	US- 5,859,145 A		01/12/1999	Ching et al.	
AZ	US- 5,955,524 A		09/21/1999	Azuma et al.	
DA	US- RE36,234 E		06/22/1999	Koskan et al.	
DB	US- 6,057,013 A		05/02/2000	Ching et al.	
DC	US- 6,063,307 A		05/16/2000	Shepold et al.	
DE	US- 6,313,193 B1		11/06/2001	Simendinger	
DF	US- 6,437,086 B1		08/20/2002	Ching et al.	
DG	US- 6,664,320 B1		12/16/2003	Cai et al.	
DH	US- 5,399,289 A		03/21/1995	Speer et al.	
DI	US- 5,981,676 A		11/09/1999	Gauthier et al.	
DJ	US- 6,083,585 A		07/04/2000	Cahill et al.	
DK	US- 20020081358 A1		06/27/2002	Galland et al.	
DL	US- 20030153644 A1		08/14/2003	Yang et al.	
DM	US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
BG	WO 96/40799		12/19/1996	Ching et al.		
BH	WO 97/32722		09/12/1997	Ching et al.		
BI	WO 97/32925		09/12/1997	Bansleben et al.		
BJ	WO 98/06779		02/19/1998	Katsumoto et al.		
BK	WO 98/51758		11/19/1998	Katsumoto et al.		
BL	WO 99/38914		08/05/1999	Schmidt et al.		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	4	of	5	Attorney Docket Number	210151US00
-------	---	----	---	------------------------	------------

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CK	First Written Opinion, PCT/US 01/31968, 06/24/2002, 2 pages	
	CL	Second Written Opinion, PCT/US 01/31968, 06/25/2002, 7 pages	
	CM	Response to Written Opinions, PCT/US 01/31968, 09/03/2002, 2 pages	
	CN	Third Written Opinion, PCT/US 01/31968, 10/02/2002, 6 pages	
	CO	International Preliminary Examination Report, PCT/US 01/31968, 02/28/2003, 6 pages	
	CP	International Search Report, PCT/US2004/032910, 02/08/2005, 3 pages	
	CQ	Written Opinion, PCT/US2004/032910, 02/08/2005, 5 pages	
	CR		
	CS		
	CT		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet

5

of 5

Application Number	10/717,297
Filing Date	November 19, 2003
First Named Inventor	Richard P. Schmidt
Art Unit	
Examiner Name	

Attorney Docket Number 210151US00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
DN	US-				
DO	US-				
DP	US-				
DQ	US-				
DR	US-				
DS	US-				
DT	US-				
DU	US-				
DV	US-				
DW	US-				
DX	US-				
DY	US-				
DZ	US-				
	US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BM	WO 99/48963		09/30/1999	Ching et al.		
BN	WO 00/11972		03/09/2000	Jerdee et al.		
BO	WO 03/053171		07/03/2003	Yang et al.		
BP	WO 95/02616		01/26/1995	Ching et al.		
BQ						
BR						

Examiner Signature		Date Considered
--------------------	--	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.